

UNITED STATES DISTRICT COURT

for the
Western District of Texas**FILED**

October 18, 2021

CLERK, U.S. DISTRICT COURT
WESTERN DISTRICT OF TEXASUnited States of America
v.

Mitchell Bergeron

Defendant(s)

BY: S. Trevino
DEPUTY

Case No. MO:21-MJ-405-1

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of October 14, 2021 in the county of Ector in the
Western District of Texas, the defendant(s) violated:*Code Section*21 U.S. Code 841(a)(1),
21 U.S. Code 841(b)(1)(A)*Offense Description*Possess with intent to distribute and to distribute a controlled substance,
namely, actual methamphetamine, 50 grams or more

This criminal complaint is based on these facts:

See attached

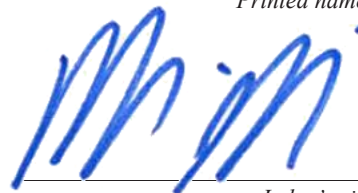
☒ Continued on the attached sheet./s/ Anthony Rossman

Complainant's signature

Anthony Rossman, Odessa Police Intelligence Unit

Printed name and title

Sworn to before me and signed in my presence.

Date: 10/18/2021

Judge's signature

City and state: Midland, TexasRonald C. Griffin, U.S. Magistrate Judge

Printed name and title

AFFIDAVIT

I, Anthony Rossman, Intelligence Division Officer with the Odessa Police Department being first duly sworn, deposes and states as follows:

1. I am an investigative or law enforcement officer of the Odessa Police Department. I have been employed as a peace officer with the Odessa Police Department for approximately seven years. For seven and one half years, I was assigned to the Patrol Division. For the past 3 months, I have been assigned to the Intelligence Division investigating narcotics, VICE, major offenses, and other crimes requiring in depth investigations. I am currently assigned to the investigation of Mitchell BERGERON. Specifically, BERGERON is accused of committing an offense against the United States by conspiring to possess with intent to distribute more than 50 grams of actual methamphetamine, in violation of 21 United States Code, Sections 841(a)(1), 841(b)(1)(A), and 846.
2. The sole purpose of this affidavit is to establish that there is probable cause to believe that BERGERON is engaged in specific criminal activity. This affidavit is made, in part, on the personal knowledge derived from participation in this investigation and, in part, upon information and belief. The source of information and belief are: oral and written reports about this investigation that have been received, either directly or indirectly from other local law enforcement officers. This affidavit does not contain all information known to law enforcement officers concerning this matter.
3. In the month of October 2021, the Odessa Police Department received a source of information that a heavyset male who resided in an RV near the area of Ave F. and W 16th St was involved in the distribution of narcotics to wit: Methamphetamine. An open source research utilizing Accurant, identified this subject as BERGERON.
4. On 09/02/2021, Odessa Police Department conducted surveillance at the RV and observed a male leaving from the trailer that matched the description of the tip received. A traffic stop was conducted on the vehicle and subject was positively identified as BERGERON. Upon contact with BERGERON, affiant could smell an odor of marijuana emitting from the vehicle. During a probable cause search of BERGERON's vehicle, affiant located approximately .8 grams of marijuana as well as synthetic urine used to falsify results of a drug test, which BERGERON advised he just used to take a drug test.
5. Based on the items located during the search and the information previously provided to law enforcement, affiant applied for a search warrant through the Ector County District Court and a search warrant was granted for the trailer by an Ector County District Judge. During the execution of the search warrant, officers located 441.6 grams of methamphetamine as well as a large quantity of packaging materials, scales, and a Ruger LCP .380 pistol. The packaging materials consisted of a large quantity of baggies and rubber bands that were consistent with the packaging some of the methamphetamine was found in, and the scale was near the packaging and had drug residue of the face of the scale. BERGERON was the sole occupant living in the RV, and multiple papers were located throughout the trailer with BERGERON's info. The methamphetamine, packaging material, and drug paraphernalia was located through the entirety of the RV to include the

kitchen, bedroom, living room, and inside of numerous cabinets.

5. Bergeron was read his Miranda Warning to which he advised that he understood, but advised that he wished to have an attorney present.
6. AUSA Shane A. Chriesman was notified and agreed to prosecute the case.

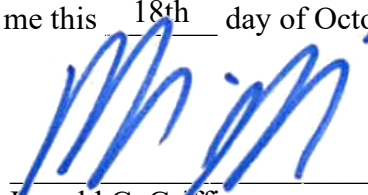
FEDERAL CRIMINAL VIOLATIONS

7. On or about October 14th, 2021, BERGERON did, in the Western District of Texas, possess with intent to distribute and to distribute a controlled substance, which offense involved 50 grams or more of actual methamphetamine, contrary to Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(A), in violation of Title 21, United States Code, Section 846. If convicted of this charge, BERGERON faces a ten (10) year minimum mandatory term of imprisonment, up to life; a five (5) year minimum mandatory term of supervised release; a maximum \$10 million fine; and a \$100 special assessment fee.

/s/ Anthony Rossman

Cpl. Anthony Rossman
Odessa Police Department
Intelligence Division

Sworn and Subscribed before me this 18th day of October, 2021.



Ronald C. Griffin
United States Magistrate Judge